

October 1, 2010

**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

Re: CC Docket No. 96-45  
TracFone Wireless, Inc.  
Annual Report Required by 47 C.F.R. § 54.209

Dear Ms. Dortch:

Transmitted herewith on behalf of our client, TracFone Wireless, Inc. is a document containing the information required by Section 54.209 of the Commission's Rules. That document includes a Declaration of Javier Rosado, TracFone's Senior Vice President, which contains the certifications required by Section 54.209.

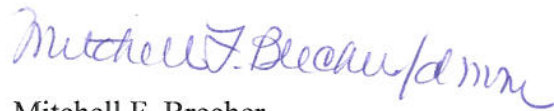
TracFone is a provider of commercial mobile radio services. By order issued April 11, 2008, TracFone was designated by the Commission as an Eligible Telecommunications Carrier in the states of New York, Florida, Virginia, Connecticut, Massachusetts, Alabama, North Carolina, Tennessee, Delaware, New Hampshire, Pennsylvania, and the District of Columbia. TracFone's designation as an ETC is for the limited purpose of providing Lifeline service to qualified low income households. See In the Matter of Federal-State Joint Board, et al, 23 FCC Rcd 6206 (2008). At paragraph 28 of that order, TracFone is directed to submit information required by Section 54.209 not later than October 1 each year. This information is being submitted pursuant to that rule and the Commission's aforementioned order.

As indicated in the enclosed report, TracFone is awaiting an outage report from AT&T Mobility. TracFone will file a supplemental report including AT&T Mobility's outage information as soon as TracFone receives that information. TracFone's other underlying carriers, T-Mobile and Verizon Wireless, have represented to TracFone that they will file their outage reports directly with the Commission, and will not be providing outage information to TracFone.

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Please direct any questions regarding the information contained herein to undersigned counsel for TracFone.

Sincerely,

A handwritten signature in blue ink that reads "Mitchell F. Brecher/dmm". The signature is written in a cursive, flowing style.

Mitchell F. Brecher

**October 1, 2010**

**TracFone Wireless, Inc**

**Eligible Telecommunications Carrier (ETC) Annual Certification Pursuant to Section 54.209 of the Commission's Rules**

9700 NW 112 AVE, MIAMI, FL, 33178

Email Address: [jrosado@tracfone.com](mailto:jrosado@tracfone.com)

54.209(a)(1)

TracFone is a mobile virtual network operator. It owns and operates no telecommunications network facilities. TracFone provides service utilizing networks of various wireless service providers. Because TracFone is a pure reseller eligible for Lifeline support only, it is not required to demonstrate compliance with the Commission's network build-out and improvement requirements. See In the Matter of Federal-State Joint Board on Universal Service, et al, 23 FCC Rcd 6206, n.15 (2008) .

54.209(a)(2)

TracFone is a mobile virtual network operator. It owns and operates no telecommunications network facilities. TracFone provides service utilizing networks of various licensed wireless network operators. TracFone does not have detailed information on network outages and must obtain that information from its underlying carriers. TracFone relies on AT&T Mobility, T-Mobile, and Verizon Wireless as its underlying carriers in the states where TracFone operates as a Commission-designated Eligible Telecommunications Carrier. TracFone has informed each of those carriers that it needs outage information to report to the Commission no later than October 1, 2010. AT&T Mobility has advised TracFone that it is in the process of completing the outage reports. TracFone will file a supplement to this report, enclosing those outage reports, as soon as TracFone receives them from AT&T Mobility. Verizon Wireless and T-Mobile have informed TracFone that they will not provide outage reports to TracFone, but will provide outage information directly to the Commission.

54.209(a)(3)

During the past year there have been no instances of denials of service to applicants of Lifeline Service who were able to demonstrate eligibility in accordance with Commission and State requirements.

54.209(a)(4)

Number of complaints regarding service and enrollment issues per 1000 active handsets per year: 0.195.

## DECLARATION

I am Javier Rosado. I am Senior Vice President, TracFone Wireless, Inc. My business address is 9700 N.W. 112<sup>th</sup> Avenue, Miami, FL 33138.

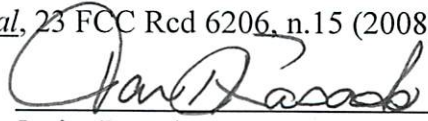
As Senior Vice President, I am responsible for the implementation of TracFone's Lifeline service in accordance with its designation by the Federal Communications Commission as an Eligible Telecommunications Carrier pursuant to Section 214(e)(6) of the Communications Act of 1934, as amended.

I hereby certify that TracFone complies with all applicable service quality standards and consumer protection rules, as well as with CTIA - The Wireless Association's® Consumer Code for Wireless Service as applicable to prepaid wireless services.

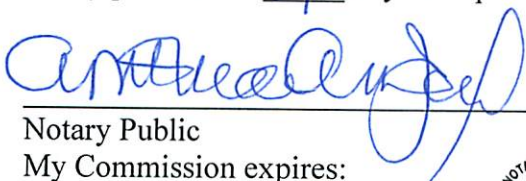
I hereby certify that TracFone is able to function in emergency situations as set forth in Section 54.201(a)(2) of the rules of the Federal Communications Commission.

I hereby certify that TracFone offers local service plans comparable to those offered by incumbent local exchange carriers in areas where TracFone offers Lifeline service.

TracFone is not subject to the provision of the FCC's rules that it may be required to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within its service area. See In the Matter of Federal-State Joint Board on Universal Service, et al, 23 FCC Rcd 6206, n.15 (2008).

  
Javier Rosado

Sworn to and subscribed before me, a licensed notary public, this 27th day of September 2010.

  
Notary Public  
My Commission expires:



CYNTHIA ANN JACOBS  
MY COMMISSION # DD 898679  
EXPIRES: August 27, 2013  
Bonded Thru Budget Notary Services